

001/008

AUG 08 2005

Docket No. END-838

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No. 000027777  
Applicants : Gary Long et al.  
Serial No. : 10/099,772  
Filed : March 15, 2002  
For : METHOD FOR CONTROLLING POSITION OF MEDICAL INSTRUMENTS

Conf. No.: 4856  
Art Unit: 3739  
Examiner: Peter Vrettakos

Comissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being transmitted via facsimile to the US Patent and Trademark Office on August 8, 2005

/Gerry Gressel/  
Gerry Gressel

## NOTICE OF APPEAL

Dear Sir:

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 7, 2005 finally rejecting all pending Claims of the above-identified application. An amendment after final rejection accompanies this Notice.

The commissioner is authorized to charge the fee of \$500 for filing this notice to Deposit Account 10-0750/END838.

**Petition for 1 Month Extension:**

The Commissioner is also petitioned for a 1 month extension of time to file this Notice. Authorization is provided to charge the fee of \$120 and any other fee needed to preserve the application to Deposit Account 10-0750/END838.

08/10/2005 YPOLITE1 00000023 100750 10099772

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Respectfully submitted,

/Gerry Gressel/  
Gerry Gressel, reg#34,342

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